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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANTSY LABS LLC;  
ZURU INC.,

Plaintiffs,

-against-

THE INDIVIDUALS, CORPORATIONS,  
LIMITED LIABILITY COMPANIES,  
PARTNERSHIPS, AND  
UNINCORPORATED ASSOCIATIONS  
IDENTIFIED ON SCHEDULE A TO THE  
COMPLAINT,

Defendant.

1:21-cv-09899-MKV

ORDER GRANTING MOTION TO  
CONTINUE PRELIMINARY  
INJUNCTION HEARING

MARY KAY VYSKOCIL, United States District Judge:

This Order memorializes the Court's ruling at the December 8, 2021 preliminary injunction hearing on this matter.

Shortly before the scheduled hearing on Plaintiff's preliminary injunction motion which was set in the Order issued on November 24, 2021, [ECF No. 13], Plaintiffs moved this Court to continue the preliminary injunction hearing and extend the temporary restraints the Court imposed on Defendants until the new hearing date [ECF No. 16]. For the following reason, the Court grants Plaintiffs' motion to continue the hearing and to extend the restraints imposed by the temporary restraining order.

On November 24, 2021, Plaintiffs moved this Court for a restraining order to temporarily bar Defendants, merchants on online marketplace platforms, including Amazon, eBay, Joom, PayPal, and Wish, from selling products that allegedly infringe on Plaintiffs' FIDGET CUBE copyright.<sup>1</sup> (Pl. Memorandum of Law in Support of Ex Parte Application for Entry of an Order

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<sup>1</sup> FIDGET CUBE is a small dice with buttons and wheels on it.

to Show Cause (“Pl. Br.”) [ECF No. 6]). On November 24, 2021 at 12:30 PM, this Court issued an Order to Show Cause with respect to the preliminary injunction motion and a temporary restraining order. [ECF No. 13]. That Order (1) temporarily restrained Defendants from infringing on Plaintiffs’ trademarks and copyrights; (2) directed the online marketplace platforms to disable and cease providing services to any user accounts through which Defendants sell the allegedly counterfeit products; (3) temporarily restrained the assets of the Defendant user accounts; (4) authorized expedited discovery of the online marketplaces with respect to information on the Defendant user accounts; (5) authorized alternative service via email; and (6) provided that Plaintiff shall deposit a security bond of \$5,000. [ECF No. 13]. The Order also scheduled a preliminary injunction hearing for December 8, 2021 at 11:00 AM. [ECF No. 13].

On December 5, 2021, Plaintiffs requested a seven-day adjournment of the preliminary injunction hearing and an extension of the restraining order until the new hearing date. [ECF No. 16]. The Court held the December 8, 2021 hearing on Plaintiff’s motion to continue the hearing and extend the restraining order. At that hearing, Plaintiffs advised the Court that they had only been able to effectuate service the day before the hearing. As such, the Court finds “good cause” under Rule 65(b)(2) to extend the temporary restraining order for a short period of time so that Defendants can be afforded more time to respond to Plaintiffs’ Motion for a Preliminary Injunction prior to the hearing.

IT IS HEREBY ORDERED that Plaintiffs’ Letter Motion to continue the preliminary injunction hearing and to extend the restraints imposed by the Court’s Order to Show Cause is GRANTED. The hearing scheduled for December 8, 2021 at 11:00 AM is ADJOURNED to December 15, 2021 at 11:00 AM. The hearing will be conducted telephonically. To join the conference, dial 888-278-0296 and enter access code 5195844.

Opposing papers, if any, shall be filed and served on or before December 13, 2021 at 5:00 PM.

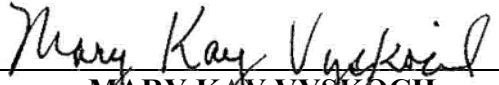
The Temporary Restraining Order without notice filed on November 24, 2021 at 12:30 PM shall remain in effect until December 15, 2021 at 7:00 PM.

Plaintiffs are directed to serve this Order on Defendants and file proof of service on the docket on or before December 9, 2021.

The Clerk of Court is respectfully requested to close docket entries 9, 12, and 16.

**SO ORDERED.**

**Date: December 8, 2020**  
**New York, NY**

  
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**MARY KAY VYSKOCIL**  
**United States District Judge**